



Patent  
45026.00143.UTL1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William Sun

Application Serial No. : 10/721,298

Filed: November 24, 2003

For: ORGANIC ANION  
TRANSPORTER GENES  
AND PROTEINS

)  
)  
) Group Art Unit: 1632

)  
) Examiner: To be Assigned

)  
) Customer No.: 36183

**SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**1. DOCUMENTS ENCLOSED:**

In response to the **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**, which was mailed by the Patent Office on September 16, 2004, enclosed are:

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.8)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

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December 16, 2004  
Date of Deposit  
SAN/104932.1

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Helen Lynn  
Name of Person Mailing Paper

*Helen Lynn*  
Signature of Person Mailing Paper

- ☒ Copy of Notice to File Missing Parts of Nonprovisional Application;
- ☒ Copy of Declaration Utility Application as filed in the parent case  
U.S. Serial No. 09/614,891, File date July 12, 2000, now U.S. Patent  
No. 6,680,379 B1, Issue date January 20, 2004;
- ☒ Statement Under 37 C.F.R. § 1.821 (F), with attached paper copy of the  
Sequence Listing and a compact disc copy of same in computer readable form.
- ☒ Formal Drawing Figures 1-8, 10 and 11.

## 2. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a provisional patent application and the provisions of 37 CFR 1.136 apply.

- ☒ Applicants petition for an extension of time under 37 CFR § 1.136(a) [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input checked="" type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two month	\$215.00	\$430.00
<input type="checkbox"/> three month	\$490.00	\$980.00
<input type="checkbox"/> four month	\$765.00	\$1,530.00
<input type="checkbox"/> five month	\$1,040.00	\$2,080.00

## 3. FILING FEES

<b>BASIC FILING FEE:</b>		
Total Claims	50 - 20 = 30 x \$18.00	
Independent Claims	5 - 3 = 2 x \$88.00	
Multiple Dependent Claims \$300 (if applicable)		
Surcharge 37 CFR § 1.16(l)	\$ 130.00 <input checked="" type="checkbox"/>	\$ 65.00
<b>TOTAL OF ABOVE CALCULATIONS:</b>		<b>\$ 65.00</b>
Reduction by 1/2 for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. <input type="checkbox"/>		
Extension of Time (from above)		\$ 55.00
Assignment Recordation Fee		
<b>TOTAL FEES SUBMITTED HEREWITH:</b>		<b>\$ 120.00</b>

**4. METHOD OF PAYMENT OF FEES:**

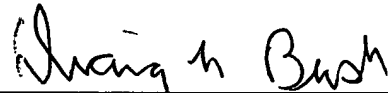
- ☒ Charge Deposit Account No. **50-2613** in the amount of \$ **120.00** for the one-month extension of time fee and the Surcharge fee to file Response to Notice to File Missing Parts of Nonprovisional Application mailed September 16, 2004.
- ☒ The Commissioner is authorized to charge Counsel's Deposit Account No. **50-2613** for any additional fees required by this submission.

Respectfully submitted,

PAUL, HASTINGS, JANOFSKY & WALKER LLP

Dated: December 16, 2004

By:



Diana L. Bush, Ph.D., Esq.  
Reg. No. 51,109

DLB:hl

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/721,298	11/24/2003	William Sun	45198.00022.DIV1

Paul Hastings Janofsky and Walker LLP  
3579 Valley Centre Drive  
San Diego, CA 92130

CONFIRMATION NO. 7085

## FORMALITIES LETTER



\*OC000000013813170\*

Date Mailed: 09/16/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/21/2004 MHEKONEN 00000016 502613 10721298

01 FC:2051

65.00 DA

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-8,10,11.
  - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 13A-E.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after

September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE